

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N # 2002-1N-517-W

15 November 2002

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

PARAGON PRODUCE
POST OFFICE BOX 161
ST. HELENA ISLAND, SOUTH CAROLINA 29920

for a permit to place fill material in waters of the United States adjacent to an

UNNAMED TRIBUTARY OF THE SALKEHATCHIE RIVER

near the intersection of SC Route 13 and SC Route 140 in Hampton County, South Carolina
(Latitude – 32.83642°, Longitude – 80.93376°).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 16 DECEMBER 2002

from those interested in the activity and whose interests may be affected by the proposed work.

The project area is an existing 170-acre agricultural operation. The applicant plans to place fill material in approximately 0.52 acres of jurisdictional wetlands and 0.44 acres of other waters of the United States (jurisdictional ditches) to grade and level an existing agricultural field and install a new parallel ditch system. According to the applicant, approximately 0.40 acres of jurisdictional wetlands and 0.75 acres (6,175 linear feet) of jurisdictional ditches will not be altered by the proposed project. The location of the jurisdictional wetlands to be filled is shown on Sheet 2 of 9, and they are identified as Wetland 3abc and Wetland 10a.

The applicant has proposed on-site mitigation to offset impacts associated with the proposed project. The applicant plans to restore a natural spring that was previously excavated to create a stock watering pond. It is our understanding that the applicant plans to partially fill the existing 0.25-acre stock watering pond in an effort

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to restore the land surface immediately adjacent to the spring. Once the land surface is restored, the applicant will remove an existing overflow pipe and allow the spring water to seep into an approximately 1.0-acre swale that is downstream of the natural spring. The applicant has stated that this will restore saturation within the swale. According to NRCS, the swale is currently identified as jurisdictional wetland.

The applicant plans to construct 12,626 linear feet of upland cut ditches. The proposed ditches will be spaced approximately 300 feet apart from one another. The purpose of the proposed work is to modify the existing hydrologic regime of the agricultural fields so that they may be used to grow a different principal crop.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107.**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 1.21 acres of waters of the United States upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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15 November 2002

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



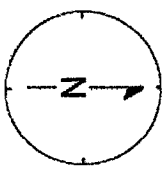
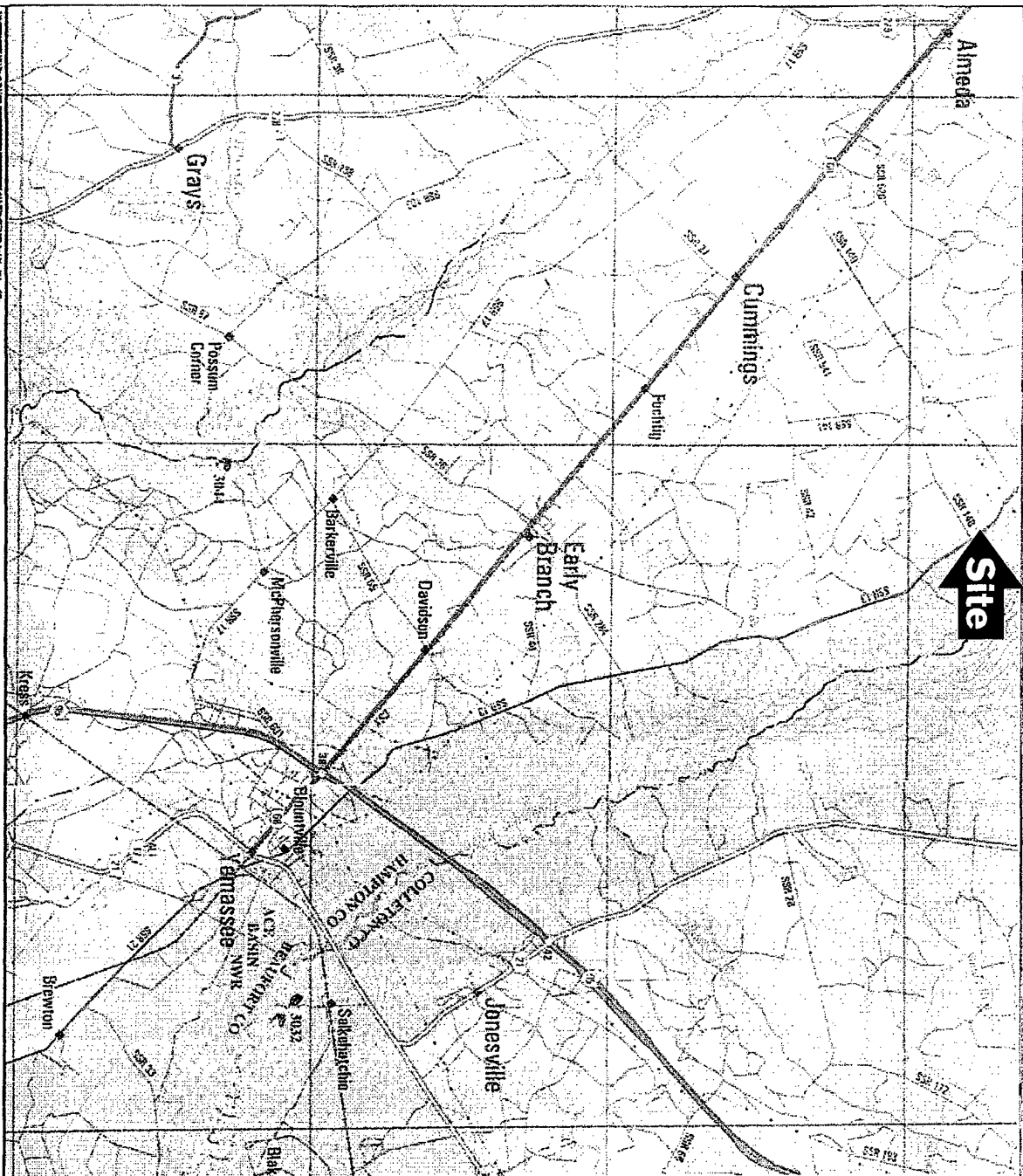
Nathaniel I. Ball
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



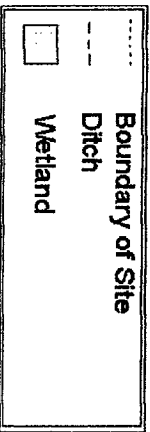
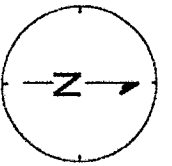
LOCATION MAP

PARAGON / WEEKLY FARMS

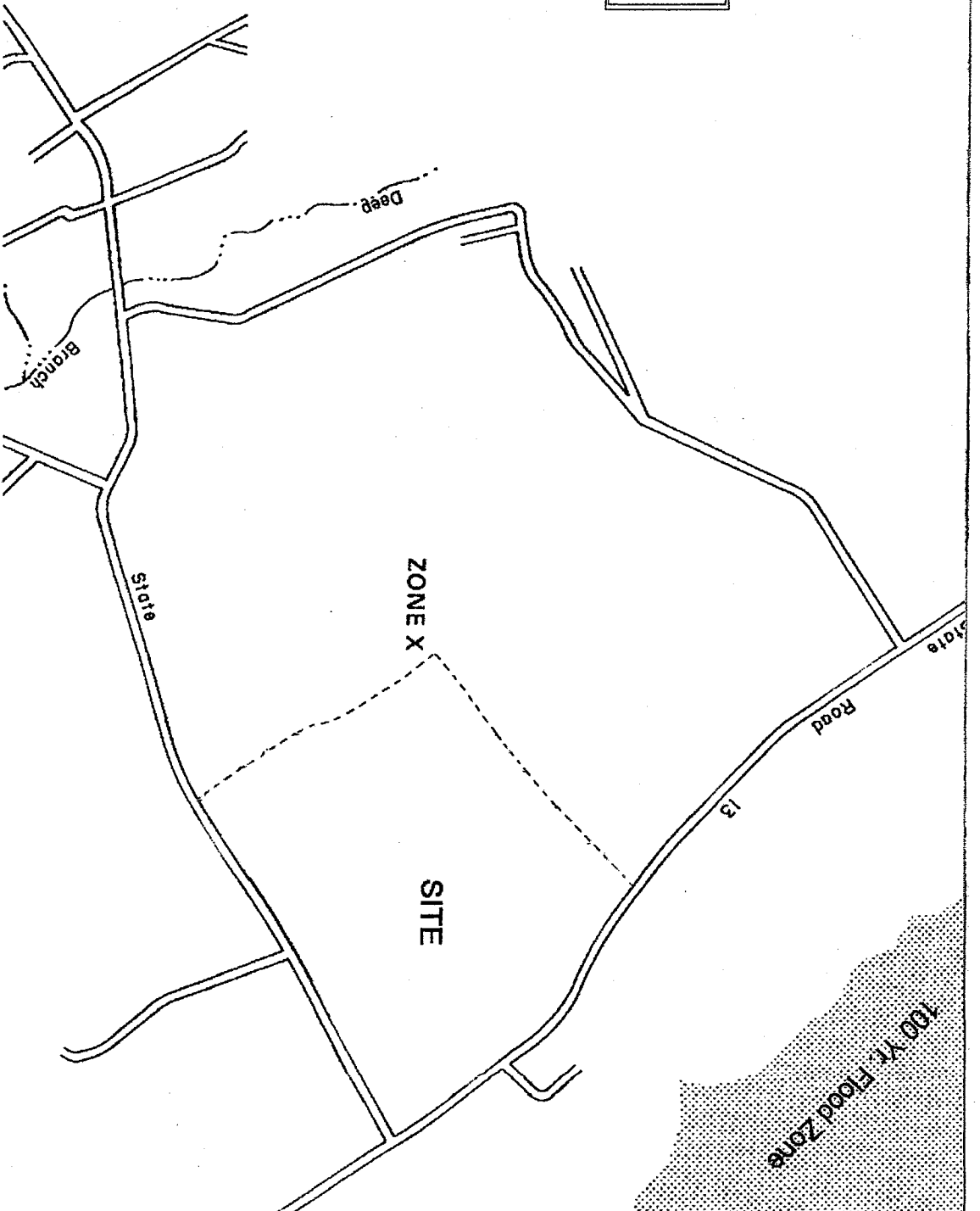
HAMPTON COUNTY



ACTIVITY: AGRICULTURAL PRODUCTIVITY
IN: CROPLAND
AT: WEEKLY FARMS
NEAR: SALKEHATCHIE RIVER
AGENT: SOIL AND WETLAND CONSULTING
APPLICANT: PARAGON PRODUCE
DATE: October 18, 2002
SHEET 1 of 10



COMMUNITY-PANEL NUMBER
460095 0076 B
EFFECTIVE DATE:
JANUARY 16, 1988



FLOOD INSURANCE RATE MAP PARAGON / WEEKLY FARMS

HAMPTON COUNTY

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660 Feet

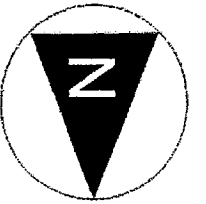
- Filled wetlands
- Mitigated wetlands

PARAGON / WEEKLY FARMS

Site Map

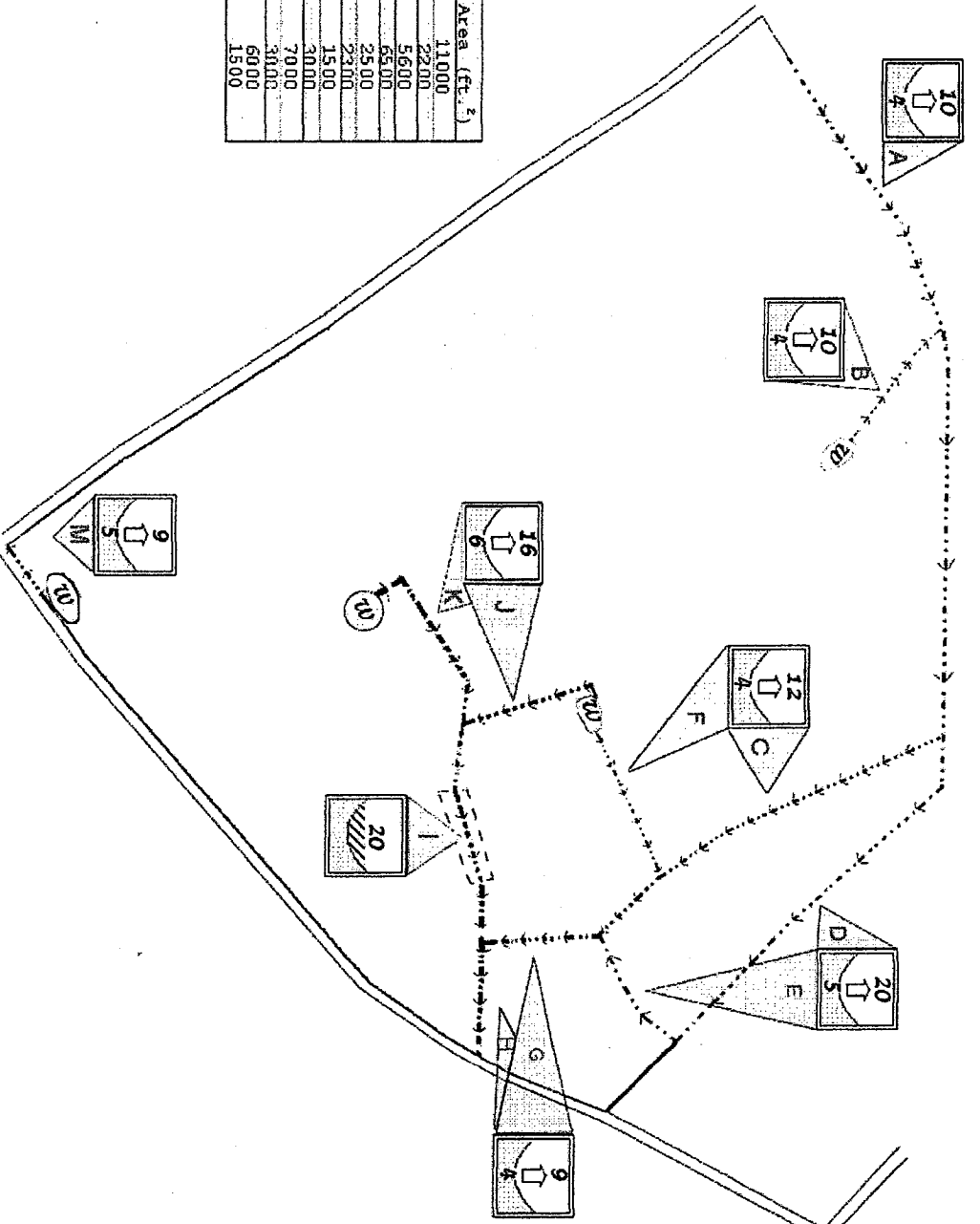
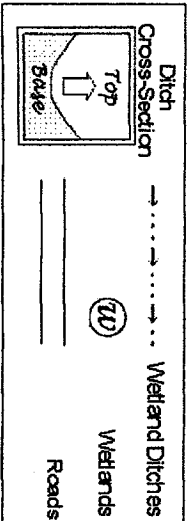
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Segment	Linear Footage (ft.)	Ditch Width (ft.)	Area (ft. ²)
A	2750	4	11000
B	450	4	2200
C	1400	4	5600
D	1300	5	6500
E	500	5	2500
F	575	4	2300
G	375	4	1500
H	600	5	3000
I	350	20	7000
J	500	6	3000
K	1000	5	6000
M	300	5	1500

Total: 10,200 L.F.



TOTAL JURISDICTIONAL DITCH ACREAGE: 1.19 ACRES
 LINEAR FEET: 10,200

TOTAL JURISDICTIONAL DITCHES PARAGON / WEEKLY FARMS HAMPTON COUNTY

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 SHEET 4 of 10

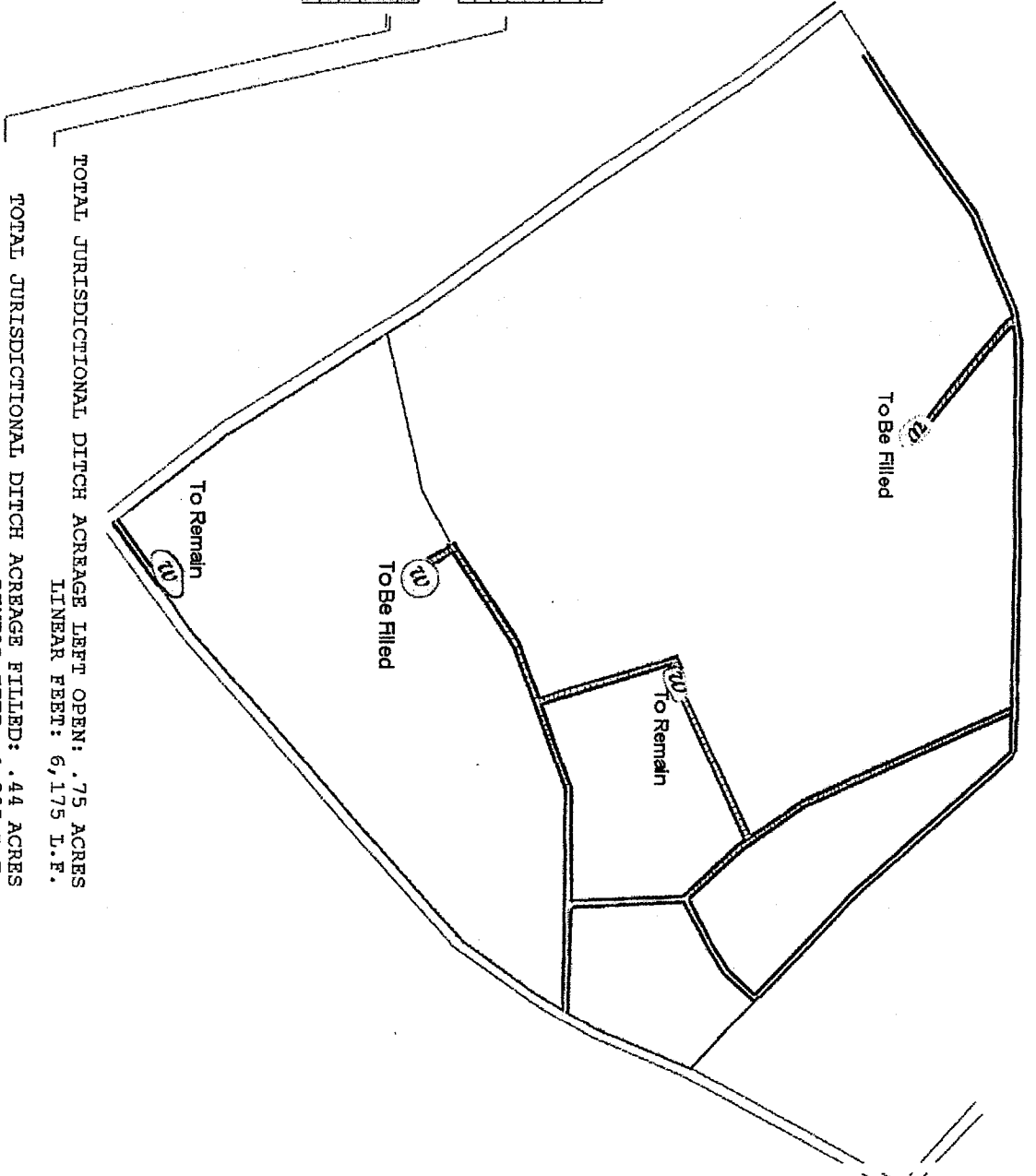




Segment	Linear Footage (ft.)	Ditch Width (ft.)	Area (ft. ²)
A	2750	4	11000
B	1300	5	6500
C	500	5	2500
D	375	4	1500
E	300	5	1500
F	350	20	7000
G	600	5	3000
Total:	6175 L.F.		

Segment	Linear Footage (ft.)	Ditch Width (ft.)	Area (ft. ²)
A	550	4	2200
B	1400	4	5600
C	575	4	2300
D	500	6	3000
E	1000	6	6000
Total:	4025 L.F.		

=====	Jurisdictional Ditches Left Open
=====	Jurisdictional Ditches Filled In
_____	No Jurisdictional Ditches
(w)	Wetlands
_____	Roads



TOTAL JURISDICTIONAL DITCH ACREAGE LEFT OPEN: .75 ACRES
 LINEAR FEET: 6,175 L.F.

TOTAL JURISDICTIONAL DITCH ACREAGE FILLED: .44 ACRES
 LINEAR FEET: 4,025 L.F.

TOTAL JURISDICTIONAL ACREAGE:
 10,200 L.F.
 1.19 ACRES

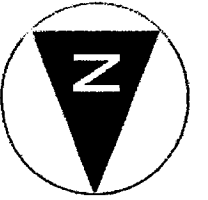


FILLED JURISDICTIONAL DITCHES/NON-IMPACTED JURISDICTIONAL DITCHES

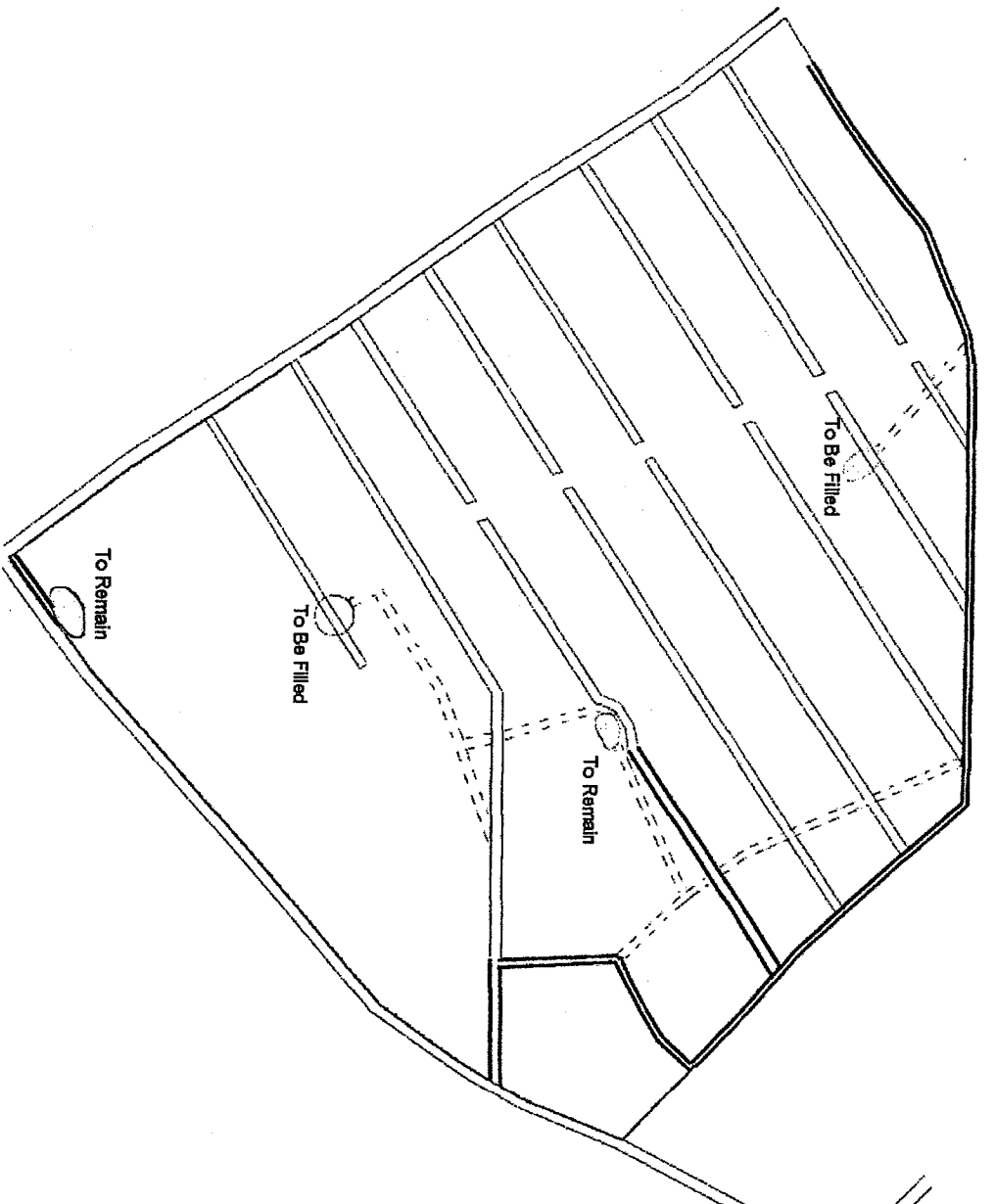
PARAGON / WEEKLY FARMS

HAMPTON COUNTY

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 SHEETS of 10



	Jurisdictional Ditches
	Non-Jurisdictional Ditches
	Filled Jurisdictional Ditches
	Wetlands
	Roads



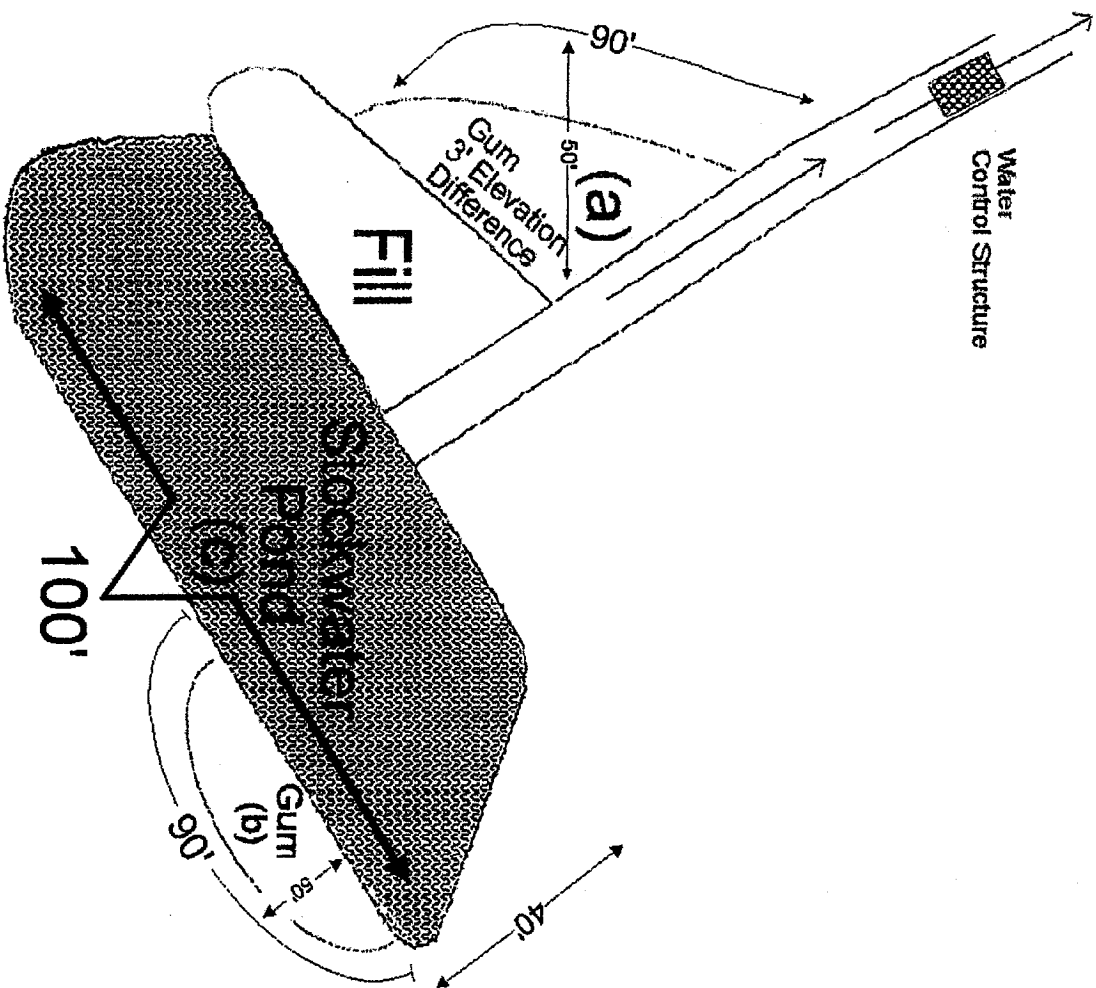
TOTAL JURISDICTIONAL DITCH ACREAGE AFTER PROJECT: 0.47
LINEAR FEET: 6,881

JURISDICTIONAL DITCHES "AFTER" PROJECT COMPLETION PARAGON / WEEKLY FARMS HAMPTON COUNTY

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WETLAND 3abc

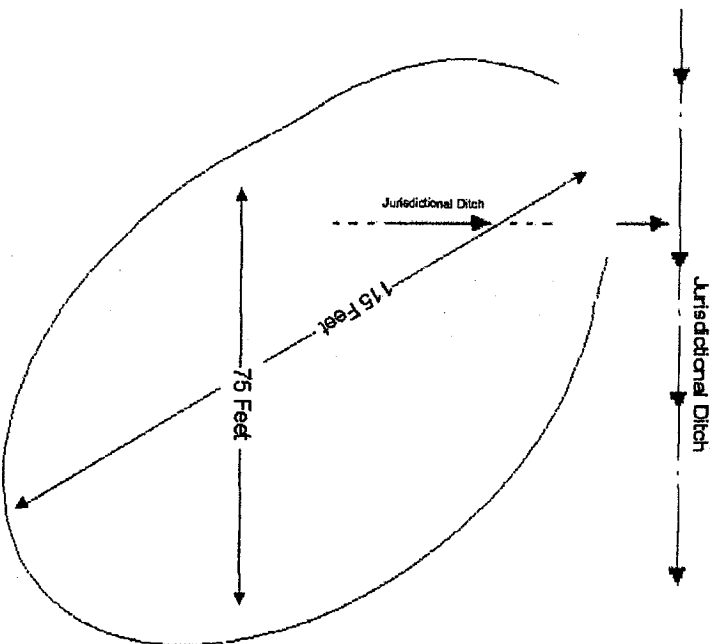


WETLAND SKETCH MAP PARAGON / WEEKLY FARMS

HAMPTON COUNTY

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Wetland 10A



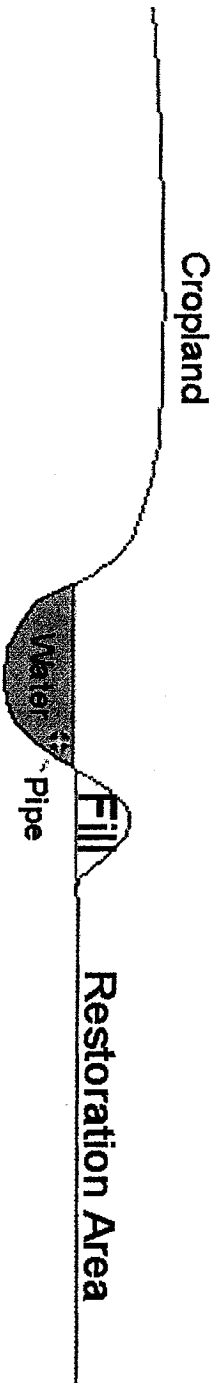
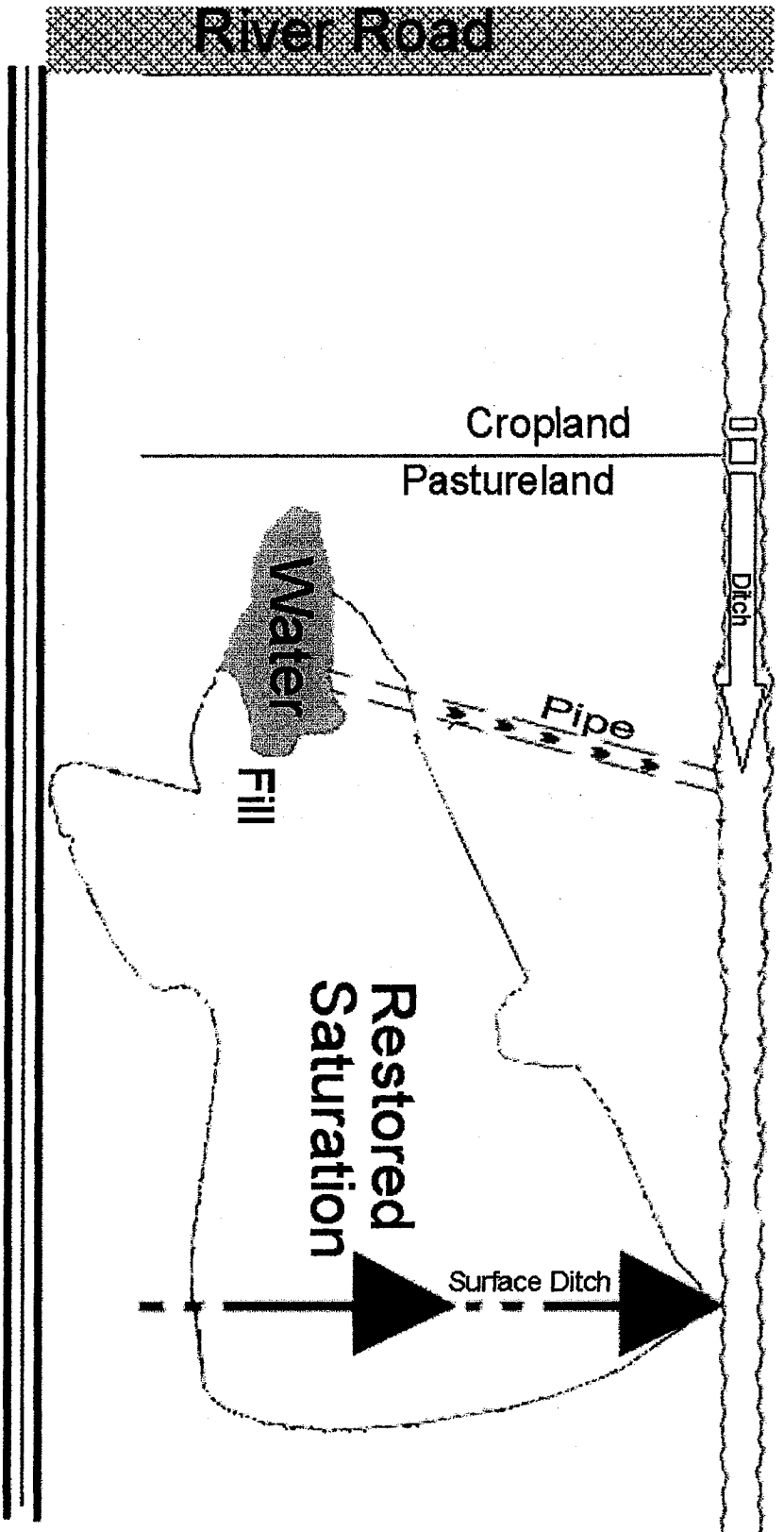
WETLAND DIMENSIONS

PARAGON / WEEKLY FARMS

HAMPTON COUNTY

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SHEET 8 of 10

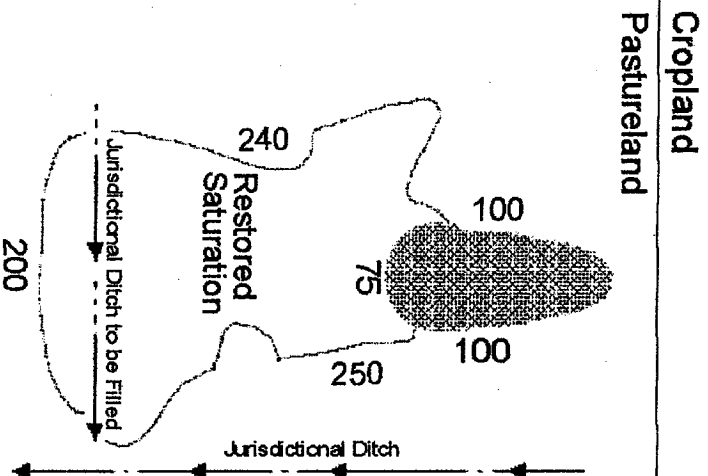




MITIGATION AREA
PARAGON / WEEKLY FARMS
HAMPTON COUNTY

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Mitigation Area



WETLAND DIMENSIONS

PARAGON / WEEKLY FARMS

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